

## **BREXIT: FAQ – Driving licences**

### **1. I am a British citizen and I live in Portugal for 6 months of the year. Can I still drive in Portugal on my UK licence?**

**R:** Since UK left the EU on 31.01.2020, with an agreement, a transition period was established that continues until 31.12.2020.

Therefore, a UK citizen will be able to drive with the British licence until 31.12.2020. This is because in this transitional period, it remains the same regime before departure for the UK driving licence recognition and exchange, so, for all purposes; UK driving licences are considered community driving licences.

From 2021, driving licences issued by the UK will be considered third country licences at which time the applicable legislation will be that which relates to the recognition of third country licences<sup>1</sup>. This means holders of UK licences are authorised to drive motor vehicles in Portugal for the first 185 days following their entry into the country, providing they are not resident.

However, if, in terms of bilateral relations between Portugal and the UK, an agreement on mutual recognition of driving licences is signed, the rules of that eventual agreement will prevail.

### **UK Nationals who move to Portugal after the UK has left the EU on 31.01.2020:**

**R:** It is not mandatory to exchange the UK driving licence during the transition period, that is, until 31.12.2020. UK Nationals will be able to drive in Portugal with the British licence up to that date, as the regime for the recognition and exchange of UK driving licences existing before departure is maintained, with the British licences being considered community, for all purposes.

After 31.12.2020, driving licences issued by the UK will be considered third country licences, at which time the applicable legislation will be that which relates to the recognition of third country licences. This means holders of UK licences are authorised to drive motor vehicles in Portugal for the first 185 days following their entry into the country, providing they are not residents. After taking up residence, they will have a period of 90 days<sup>2</sup> to exchange the UK title for Portuguese title; otherwise they will no longer be allowed to drive.

However, for a period of 2 years from the date of residence, they can exchange the UK title to Portuguese title, with no need to carry out a practical driving test.

After the end of the two-year period, the exchange of the UK title for Portuguese title is subject to a practical driving test<sup>3</sup>.

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<sup>1</sup> Article 125 (3) and (4) of the Highway Code

<sup>2</sup> Article 125 (4) of the Highway Code

<sup>3</sup> Article 128 (7) (c) of the Highway Code and Article 14 (1) (c) of the Driving Licence Regulation (RHLC)

**2. Will future residents (those who come to Portugal after the UK has left the EU on 31.01.2020) have to take a driving test in order to exchange their UK licences for a Portuguese licence?**

**R:** Until 31.12.2020, for the reasons mentioned above, citizens do not have to exchange their UK driving licence for a Portuguese licence. If they still intend to make the exchange, they will be exempted from delivering a certificate of authenticity, under the same terms as the driving licence holders of a Member State of the European Union.

After 31.12.2020, new residents who hold UK-issued driving licences (a country that has ratified the 1949 Geneva Convention and the 1968 Vienna Convention), will have 90 days from the date they become residents to exchange their licence without having to take a driving test otherwise they will no longer be allowed to drive.

However, for a period of two years from the date of residence, they can exchange the UK title to Portuguese title, with no need to carry out a practical driving test.

After the end of the two-year period, the exchange of the UK title for Portuguese title is subject to a practical driving test.

**3. Will those who have registered their UK driving licences with IMT now have to exchange their licence for a Portuguese-issued one? If so, what is the procedure and cost involved?**

They will not have to exchange cards until 31.12.2020. After 31.12.2020, to exchange the licence, the following documents will be necessary<sup>4</sup>:

- Identification document;
- Proof of residence or student status in Portugal;
- Fiscal identification number;
- Medical report;
- Original driving licence;
- Declaration of authenticity issued by the driving licence issuing authority.

The costs involved are as follows<sup>5</sup>:

- If the application is made within the two-year period, the fee is €30,00 for the issue of the licence;
- If the application is made after the two-year period, the fee is €75,00 (€15 for the issue of a learner's permit, €30 for the practical test and €30 for the issue of the licence).

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<sup>4</sup> As foreseen in Articles 14 (2) and 18 of the Driving Licence Regulation (RHLC)

<sup>5</sup> As foreseen on IMT fee table approved by ministerial order 1165/2010 of 9 November

**4. After the transition period, that is, after 31.12.2020, will a British visitor who does not intend to spend more than 185 days in Portugal have to carry an International Driving Permit?**

**R:** No. The UK has ratified the 1949 Geneva Convention and the 1968 Vienna Convention, so citizens with UK driving licences may drive in Portugal for a maximum period of 185 days without the need to present an International Driving Licence.

**5. After the transition period, that is, after 31.12.2020, if I exchange my UK licence for a Portuguese licence will I be able to drive in the UK?**

**R:** This will depend on legislation adopted by the UK.

**6. After the transition period, that is, after 31.12.2020, when I exchange my UK licence for a Portuguese licence will I be able to drive in all EU Member States?**

**R:** Yes. If you are the holder of a Portuguese driving licence, you will be able to drive in all other EU Member States.